

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections set forth in the Office Action dated August 28, 2006 are respectfully requested. Claim 1 has been amended to include the language of claim 20. Claims 37 and 38 have been similarly amended. Claim 20 has been canceled, and claims 21-23, which depended from claim 20, have been amended to depend from claim 1. Claim 32 has been amended to correct a clerical error. Claim 39 is new. No new matter has been added. Claims 1-19, 21-39 are currently pending this application.

### **THE PRIOR ART**

The Examiner rejected claims 1-38 under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,625,454 (Rappaport et al.). The applicants respectfully disagree that the claims are unpatentable over the cited prior art.

Rappaport et al. disclose a computerized model that provides a display of a physical environment in which a communication network is or will be installed. Abstract. In FIG. 5, Rappaport et al. show the general steps involved in implementing their invention. Specifically:

- 1) "Before one can run an automated predictive model on a desired environment, a 3-D electronic representation of that environment must be created." Col. 12, lines 61-63; FIG. 5 (10).
- 2) "Once this 3-D database of obstruction data has been built, the design engineer performs computer aided design and experimentation of a wireless network to be deployed in the modeled environment." Col. 13, lines 27-30; FIG. 5 (11).
- 3) "In order to fine tune the experimental predictions, RF measurements may be optionally taken." Col. 13, lines 35-36; FIG. 5 (12).
- 4) "If necessary, database parameters that define the partition/obstruction characteristics may be modified using RF measurements as a guide to more accurately represent the modeled 3-D environment." Col. 13, lines 39-42; FIG. 5 (13).

5) "The results of the predictive models may be displayed in 3-D overlaid with the RF measurement data, if any, at any time." Col. 13, lines 43-45; FIG. 5 (14).

6) "The design engineer analyzes the differences in the predicted and actual measurements... and then modifies the RF predictive models, if needed." Col. 13, lines 45-48; FIG. 5 (15, 16).

Notably, Rappaport et al. never disclose comparing predicted capacity with measured capacity. The discussion is limited to coverage from start to finish. For example, 1) the 3-D database include obstruction data (affecting coverage), 2) CAD is accomplished with the 3-D model, 3) RF measurements are optional, 4) the obstruction data may be improved using the RF measurements (if taken),....

Contrary to the Examiner's assertion at page 7 of the Office Action, Rappaport et al. does not disclose "displaying capacity data based at least on the measured wireless local area network (column 13, lines 8-67-column 14, lines 1-25; column 16, lines 15-67-column 17, lines 1-21)." Specifically, Rappaport et al. provide no discussion of capacity data in the cited text.

## THE PRIOR ART DISTINGUISHED

To anticipate a claim, a reference must teach each and every element of the claim. Claim 1 includes the language: "displaying capacity data based at least on the measured wireless local area network data." Since Rappaport et al. do not disclose displaying capacity data based at least on the measured wireless local area network data, claim 1 is allowable over Rappaport et al.

Claims 2-19, 21-36, which depend from claim 1, are allowable at least for depending from an allowable based claim, and potentially for other reasons, as well. For example, claims 21-25 each include language that is not described in the Rappaport et al. reference. Claims 37-38 are allowable for reasons similar to those described with reference to claim 1.

Claim 39 includes the language:

generating a wireless coverage estimate using floor plan data about a site of a wireless local area network (WLAN);

generating a wireless capacity estimate using the floor plan data about the site of the WLAN;

receiving measured WLAN data, including wireless coverage data and wireless capacity data;

comparing the measured WLAN data with the wireless coverage estimate and the wireless capacity estimate;

based at least on the measured WLAN data, changing one or more of: the floor plan data about the site of the WLAN, the quantity of the plurality of access points, the placement of the plurality of access points, and the configuration of the plurality of access points.

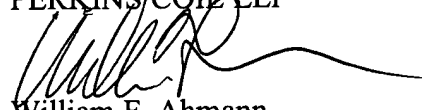
Rappaport et al. do not disclose "generating a wireless capacity estimate." Rappaport et al. also do not disclose "receiving measured WLAN data including wireless coverage data and wireless capacity data." It follows that Rappaport et al. do not disclose "comparing the measured wireless WLAN data with the wireless coverage estimate and the wireless capacity estimate." For any of these reasons, claim 39 is allowable over the cited prior art.

CONCLUSION

In view of the foregoing, Applicant submits that the claims pending in the application patentably define over the prior art. The Applicant respectfully requests the Examiner withdraw rejections of all claims. A Notice of Allowance is respectfully requested.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4305.

Respectfully Submitted,  
PERKINS COIE LLP



William F. Ahmann  
Reg. No. 52,548

Date: November 16, 2006

**Correspondence Address:**

Customer No. 22918  
Perkins Coie LLP  
P.O. Box 2168  
Menlo Park, CA 94026  
650-838-4300